

Exh. A

Kenneth Scott Dellinger  
140 Brentwood Road  
Winston-Salem, NC 27107

January 4, 2010

Caterpillar Inc.  
Attention: Jim Owens, CEO  
100 North East Adams Street  
Peoria, IL 61629-9620

Dear Jim Owens,

This letter is in effort to provide Caterpillar the opportunity to do the right thing and make compensation for a defective product that you placed on the market. Caterpillar put this product on the market with the expectation to make a profit; however the cost has fallen solely on my shoulders. The responsibility of rectifying this defective product should be Caterpillars alone.

In addition to receiving several misrepresentations from Caterpillar representatives, I have experienced numerous mechanical problems. This has resulted in 20% downtime, a cost in excess of \$60,000 to my business. This figure is growing rapidly as I continue to incur mechanical and safety issues with this product. The last incident resulted in down time of 10 days. No business can survive this loss of productivity and profits.

Caterpillar represents itself as a company that upholds high ethical standards and expresses this through the outlined Code of Conduct. Therefore, I think you will understand why I am disappointed in the dealings I have experienced thus far. My excuses and apologies to my customers are of no comfort to them. These incidences have directly affected my commitments to my customers. These customers expect me to uphold my agreements with them and deliver the goods they have entrusted me on schedule. These incidents are terribly embarrassing and unforgivable. It is devastating to have no control over fulfilling my obligations.

My hopes are that Caterpillar will recognize what should be done: Resolve the matter by compensating for my loss of time and customers, or purchase back your defective product. I am unable to continue absorbing these costs that are a result of Caterpillars product.

Sincerely,

Scott Dellinger  
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Cc: W.M. Rusty Rush, President & CEO  
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